

FILED

MAR 03 2010

**SECRETARY, BOARD OF
OIL, GAS & MINING**

BEFORE THE BOARD OF OIL, GAS AND MINING
DEPARTMENT OF NATURAL RESOURCES
STATE OF UTAH

IN THE MATTER OF

JAMES CURTIS and DEBRA STARKY aka
DEBRA CURTIS,
 PETITIONERS,

VS.

MOUNTAIN OIL AND GAS, INC. and
HOMELAND GAS AND OIL, LTD.,
 RESPONDENTS.

DIVISION'S OBJECTION TO
REQUEST FOR WAIVER OF
FILING DEADLINE

Docket No.: 2010-017

Cause No.: 131-127B

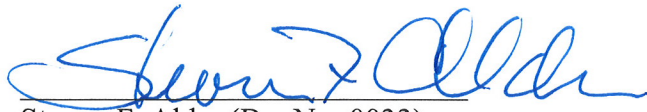
The Division of Oil, Gas and Mining through its counsel hereby objects to the
Petitioners' Request for Wavier of the Filing Deadline in this matter.

This matter was filed on February 11, 2010 and would normally be heard at the April
Board Hearing. The Division believes that there is no reason to waive the normal procedures for
this request. Although this matter does involve the same Respondents as other matters currently
being investigated by the Division that were filed in January (for which additional parties were
allowed by the Board and the Division to join), this Request involves a different tract of land.
Allowing a waiver of the filing deadline will significantly increase the already substantial
investigative efforts being undertaken by the Division for the seven petitions filed in January. It
is too late to begin to investigate this new tract as part of the current investigation.

Another Request, Burnell Rich, aka A Burnell Rich and Sherril Rich v. Mountain Oil and
Gas, Inc. et al, was also filed on February 11, 2010. It will be appropriate to have both petitions
heard according to the normal procedures. There is no reason to rush this matter. Allowing the
current investigations to proceed first, may provide the Division with background information

that will assist in this investigation, and/or waiting until April may also allow actions by the Respondents that may avoid the need for an investigation.

Respectfully submitted this 3 day of March, 2010



Steven F. Alder (Bar No. 0033)

Assistant Attorney General

Counsel for the Division of Oil, Gas and Mining

CERTIFICATE OF SERVICE

I hereby certify that I caused a true and correct copy of the foregoing DIVISION'S OBJECTION TO REQUEST FOR WAIVER OF FILING DEADLINE for Docket No. 2010-017, Cause No. 131-127B to be mailed with postage prepaid, this 4th day of March, 2010, to the following:

James Curtis, Petitioner
10986 Weston Hill Drive
San Diego, CA 92126

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Mountain Oil and Gas, Inc.
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Roosevelt, UT 84066

Homeland Gas and Oil, Ltd.
PO Box 1776
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A handwritten signature in blue ink, appearing to read "SFD", is written over a horizontal line.